

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re)	Chapter 11
DPH HOLDINGS CORP., <i>et al.</i> ,)	Case No. 05-44481 (RDD)
)	Jointly Administered
Reorganized Debtors.)	

**ORDER DENYING AMENDED MOTION FOR RECOUPMENT
ON BEHALF OF DELPHI SALARIED RETIREES**

Upon James B. Sumpter's Amended Motion For Recoupment On Behalf Of Delphi Salaried Retirees (the "Sumpter Recoupment Motion") (Docket No. 21566), filed September 8, 2011; and upon the Reorganized Debtors' Response In Opposition to Amended Motion For Recoupment On Behalf Of Delphi Salaried Retirees (Docket No. 21581), filed September 15, 2011; and upon James B. Sumpter's Reply To Debtors' Response [Docket #21581] To The Amended Motion For Recoupment On Behalf of Delphi Salaried Retirees [Docket #21566], filed September 21, 2011; and the Court having considered the arguments of James B. Sumpter and the Reorganized Debtors at a hearing held on the Sumpter Recoupment Motion on September 22, 2011 (the "Hearing"); and this Court having considered certain post-hearing e-mail correspondence, dated September 26, 2011, submitted to this Court by James B. Sumpter and the Reorganized Debtors' Letter Response to September 26, 2011 E-mail of James Sumpter, filed September 30, 2011 (Docket No. 21603); and the additional information brought to the Court's attention in the post-hearing submissions not having a material effect on the basis for the Court's prior findings and conclusions stated at the Hearing; and after due deliberations thereon; and good and sufficient cause appearing for the reasons stated by this Court in its bench ruling at the Hearing, it is hereby ORDERED, ADJUDGED, AND DECREED THAT:

1. This Court has subject matter jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334 and paragraph 56 of the Plan Modification Order. This matter is a core proceeding within the meaning 28 U.S.C. § 157(b) in which the Court may enter a final order. This Court is the proper venue for this matter pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The Motion is denied.

3. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to the implementation of this order.

Dated: White Plains, New York
October 13, 2011

/s/Robert D. Drain
U.S. BANKRUPTCY COURT JUDGE